

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 11-00118-01-CR-W-DGK
)	
GEORGE B. HARRIS,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on October 9, 2013. Defendant Harris appeared pro se and with stand-by counsel Bill Raymond. The United States of America appeared by Assistant United States Attorney Christina Tabor.

I. BACKGROUND

On May 23, 2011, an indictment was returned charging Defendant with one count of being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Ms. Tabor announced that she will be the trial counsel for the government. The case agent to be seated at counsel table is Darrell Reach, Kansas City, Missouri Police Department.

Defendant Harris announced that he will proceed pro se.

III. OUTSTANDING MOTIONS

Two motions are currently pending:

- The Government's Motion in Limine (Doc. No. 98); and
- The Government's Motion in Limine to Exclude Inadmissible Hearsay Offered by Pro Se Defendant Harris (Doc. No. 165).

IV. TRIAL WITNESSES

Ms. Tabor announced that the government intends to call four witnesses without stipulations or two witnesses with stipulations during the trial.

Defendant Harris announced that he intends to call seven or eight witnesses during the trial. Defendant will testify.

V. TRIAL EXHIBITS

Ms. Tabor announced that the government will offer approximately thirty-five exhibits in evidence during the trial.

Defendant announced that he will offer approximately five exhibits in evidence during the trial.

VI. DEFENSES

Defendant will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Defendant stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to Defendant's prior felony conviction and the interstate nexus of the firearm.

IX. TRIAL TIME

The parties were in agreement that this case will take two days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed December 2, 2011, each party file and serve a list of exhibits it intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by October 9, 2013;

That each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, October 16, 2013;

That each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions¹ by or before noon, Wednesday, October 16, 2013. The parties are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

Motions in limine will probably be filed regarding pretrial claims already denied and hearsay. There are no unusual questions of law.

XII. TRIAL SETTING

The parties were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on October 21, 2013.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
October 9, 2013

cc: Mr. Kevin Lyon

¹Parties in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by October 18, 2013. To the extent there are disagreements to certain instructions, each party shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.